IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TENNESSEE WESTERN DIVISION

)
KEVIN R. DICKERSON,)
)
Plaintiff,)
V.) CASE NO. 2:08-CV-2079
)
FEDERAL EXPRESS CORP.,)
)
Defendant.)
)

ORDER ADOPTING REPORT AND RECOMMENDATION AND ORDER OF DISMISSAL

On February 8, 2008, Plaintiff Kevin R. Dickerson filed his Complaint against Defendant Federal Express Corporation. On June 20, 2008, the Magistrate Judge issued an order to show cause why this case should not be dismissed pursuant to Fed. R. Civ. P. 4(m) for failure to serve the summons and complaint within 120 days of the filing of the Complaint. On July 17, 2008, the Magistrate Judge issued a Report and Recommendation recommending that the case should be dismissed pursuant to Rule 4(m) because Plaintiff has failed to respond to the show cause order or serve Defendant. No objections or exceptions to the Report and Recommendation were filed.

The Court hereby adopts the Magistrate Judge's Report and Recommendation. Therefore, this cause is hereby dismissed for failure to timely obtain service of process pursuant to Fed. R. Civ. P. 4(m).

IT IS SO ORDERED this 14th day of August, 2008.

s/Bernice Bouie Donald
BERNICE BOUIE DONALD
UNITED STATES DISTRICT COURT JUDGE